

**From:** LWillo1124@aol.com [mailto:LWillo1124@aol.com]  
**Sent:** Friday, January 13, 2006 8:12 PM  
**To:** ccrsgcomments@resources.ca.gov  
**Subject:** Comments regarding Pacific Grove Marine Gardens Fish Refuge -

### **Tidepool Coalition aka**

**COALITION TO PRESERVE and RESTORE PT. PINOS TIDEPOOLS**

**P.O. Box 433, Pacific Grove, California 93950**

**Within these areas, no risk of change is considered acceptable unless it is part of a natural process\***

January 12, 2006

To: Paul Reilly, Senior Marine Biologist, DFG

Thank you for your timely response of 1/3/06 to my questions sent to Melissa-Miller Henson on 12/29/05 regarding the MLPA process, and terms being used that have never been clearly defined by the DFG.

I do not believe requesting that a definition of the term 'scientific purposes' be added to the DFG code is a premature request. In fact, it is long overdue and quite appropriately could, and should be done by the seated Science Advisory Team (SAT). What group would be better at developing this definition, and when would be a better time?

While Fred Keeley was Assemblyman for the 27th District, the Tidepool Coalition requested that he initiate legislation specifically to have 'scientific purposes' defined and placed in the definitions section of the DFG code. Apparently there were other pending legislations that required his immediate attention, but this definition has to be a priority now with the DFG and Fish and Game Commission during the MLPA implementation..

Who knows what 'scientific purposes' means and can give us a definition? Until we all have a clear understanding of this term which is used frequently through the DFG code, there will continue to be abuses by collectors holding 'scientific permits.'

Furthermore, I would think the Fish and Game Commission would require clarification of other applicable definitions before it makes any selection from the three proposals for the Central Coast. Certainly the public would have a better understanding of what these proposals really mean. Wouldn't it seem appropriate for the Science Advisory Team to weigh in on these definitions.

Please correct me if I am mistaken, but from what we were told by central coast stakeholders, all three proposals include a 'piecemeal' approach by chopping the Pacific Grove Refuge into smaller components with different regulations.

I can tell you that the people of Pacific Grove emphatically want their entire coastline, the Pacific Grove Marine Garden Fish Refuge, established as a State Marine Reserve without a Sea Conservation Area in the middle. It simply doesn't make any sense to break up the Pacific Grove refuge into a State Marine Reserve at Hopkins, a Sea Conservation Area in the middle and another State Marine Reserve at the Pt. Pinos/ Asilomar end of the Refuge. Many of us heard Dr. Gaines of the Science Advisory Team tell the Blue Ribbon Task Force that the larger the reserve, the more benefits to the marine resources. So, why would anyone ever consider any proposal which would piecemeal our irreplaceable Marine Gardens Fish Refuge when we have the opportunity to preserve and restore it for future generations with the highest protection as a State Marine Reserve.

As we have said on many occasions, the people of Pacific Grove are also significant stakeholders, and over the past seven years have shown a great commitment to full protection for their refuge. Historically, it was at the request of his constituents that Senator Fred Farr sponsored legislation to establish the Pacific Grove Marine Gardens Fish Refuge in 1963. With our oceans in crisis, I believe the people will show even greater tenacity in working to preserve the integrity of our refuge in its entirety. Don't forget, on October 5, 2005 the Pacific Grove City Council passed Resolution 5-035 Supporting Designation of the Pacific Grove Marine Refuge as A STATE

MARINE RESERVE under the California Marine Life Protection Act of 1999. This Resolution was submitted to the MLPA Blue Ribbon Task Force and DFG by our City Manager, Mr. Colangelo.

Under Assembly Bill 993, SECTION 1. Chapter 10.5, SEA LIFE CONSERVATION ACT (commencing with Section 2850) was added to Division 3 of the Fish and Game Code.. Under 2851. (a) "that California's marine managed areas (MMA's) were established on a piecemeal basis rather than according to a coherent plan and sound scientific guidelines."

Certainly any attempts now to split or break up the Pacific Grove Refuge into smaller units is just another piecemeal approach, and does not stand up to the increased need to protect special habitats and ecosystems, and it certainly does not achieve responsible management and enforcement. Dividing this outstanding refuge, a major portion of which is an Area of Special Biological Significance (ASBS), and one which has great historical significance is a huge step backwards in this new millennium when the State and DFG are mandated to move forward in ocean conservation. Considering it is the only Marine Garden Fish Refuge in the State of California and lies within a National Marine Sanctuary, I do not believe the people of Pacific Grove or the Monterey Peninsula and even the general public of the State of California would support or find compelling conservation principles which would permit this majestic and splendid natural marine ecosystem to be broken up.

In closing, I would hope the Fish and Game Commission, DFG, MLPA Blue Ribbon Task Force, SAT and CCRSG are familiar with the Pacific Grove Coastal Parks Plan mandated by the California Coastal Commission and adopted in August, 1998 by the Pacific Grove City Council. It specifically seeks to maximize protection of the Pacific Grove Marine Gardens Fish Refuge, Hopkins Marine Life Refuge and Areas of Special Biological Significance (ASBS) which hold extraordinary value and warrant special protection, including preservation and maintenance of their natural condition. Within these areas, no risk of change to their environment is considered acceptable unless it is part of the natural process."

Respectfully,

Lee Willoughby  
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Hello Lee:

Your electronic mail of December 29, 2005 to Melissa-Miller Henson, concerning intertidal State Marine Reserves (SMR), has been forwarded me for a response. The three proposals to which you refer were developed through the central coast regional stakeholder process. All of these proposals prohibit invertebrate take within the Pacific Grove intertidal zone.

These proposals are for discussion purposes only. Questions regarding applicable definitions, enforcement, and scope of intertidal SMRs are premature, and are properly raised once the Fish and Game Commission has selected an alternative and the Department prepares implementing regulations. The proposals will be posted on the MLPA website after they have been evaluated by the Science Advisory Team.

Paul

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